

SILAS P. RICE	*	IN THE
CRUMMELL P. JACOBS	*	CIRCUIT COURT
Complainants	*	
VS	*	FOR FREDERICK COUNTY, MARYLAND
COLEMAN J. LIDIE, III	*	Equity No. 29,770
Respondent		
* * * * *		

AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

STATE OF MARYLAND, COUNTY OF WASHINGTON, TO WIT:

I HEREBY CERTIFY that on this 19th day of November, 1978
before me, the Subscriber, a notary public of the State of Maryland, in and
for the county aforesaid, duly commissioned and qualified, personally appeared
NELSON S. RICE, and made oath in due form of law as follows:

FIRST: That he is the son of Silas P. Rice, a Complainant in these
proceedings.

SECOND: That he has personal knowledge of all the matters and facts
herein set forth, all of which are true and correct to the best of his knowl-
edge, information and belief, and that he is competent to be a witness.

THIRD: That since he was a young boy he has gone with his father or
individually to his father's properties, described herein in the Bill of Com-
plaint, by traversing a road, approximately fifteen (15) feet wide, traversing
from a point on Putman Road, one of the county roads, across the north-east
corner of the Respondent's real estate to his father's properties. That the
said road runs from Putman Road to the Frederick City watershed property but
does not connect with any road in the Frederick City watershed.

FOURTH: That he has used the said road in order to go to his father's
properties along the road, past the Respondent's property, traversing from
Putman Road, for approximately forty-five (45) years and even in time that
exceeds his memory.

FIFTH: That he has used the said road for the purpose of hauling cut
logs from his father's properties to the public road of Putman Road, and that